IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of **DEAV2003/0072 US NP** 

Application No.: 10/779,439

Filed:

M

February 13, 2004

Title: Nitrogen-Substituted

Hexahydropyrazino[1,2-a]Pyrimidine-4,7-Dione Derivatives, Processes For Their Preparation and The Use As

**Medicaments** 

Examiner:

Art Unit:

1615

I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail in an envelope addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on

September 8 2005

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Commissioner for Patents P. O. Box 1450 Alexandria, VA 22313-1450

Applicants submit herewith patents, publications, and other information of which they are aware, which they believe may be material, as defined in 37 C.F.R. 1.56(b), to the examination of this application and in respect of which there may be a duty to disclose in accordance with 37 C.F.R. 1.56(a). While the information referred to in this Information Disclosure Statement may be material pursuant to 37 C.F.R. 1.56(b), the filing of this Information Disclosure Statement is not intended to, pursuant to 37 C.F.R. 1.97(h), constitute an admission that any patent, publication or other information referred to is, or is considered to be, material to the patentability of this invention. Pursuant to 37 C.F.R. 1.97(g), the filing of this Information Disclosure Statement shall not be construed to mean that a search has been made or that no other material information exists.

This Information Disclosure Statement is filed within the period set forth in §1.97(b) because it accompanies the new patent application submitted herewith, is filed within three months of the filing date of a national application or within three months of the date of entry of the national stage as set forth in §1.491 in an international application, or is believed to be filed before the mailing date of a first Office Action on the merits, whichever event occurs last. However, in the event that the first office action has been mailed, the Commissioner is authorized to charge any fees under 37 C.F.R. 1.17(p) or credit any overpayment to Account No. 18-1982.

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	(b)	This	Information Disclosure Statement is filed after the period set forth in 37 C.F.R.
		1.97(	(b), but is believed to be filed before the mailing date of a final action under §1.113
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		(1)	The undersigned attorney certifies that each item of information contained in this
			Information Disclosure Statement was cited in a communication from a foreign
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			which payment of the fee set forth in §1.17(p) and required by 37 C.F.R. 1.97(c) is
			authorized.
			Respectfully submitted,
			Babara E. Kom
			Barbara E. Kurys, Reg. No. 34,650
Aven	tis Pha	rmace	Attorney/Agent for Applicant euticals Inc.
_	t Dena		

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Aventis Docket No. DEAV2003/0072 US NP

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of

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**Application Number** 10/779,439 02-13-2004 Filing Date First Named Inventor FLOHR, et. al. Group Art Unit 1615 Examiner Name Not Yet Assigned Attorney Docket Number DEAV2003/0072 - US - NP

Complete if Known

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Examiner Initials			Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear		
		2002/0065284		CARPINO, et. al.	03-30-2001		

	FOREIGN PATENT DOCUMENTS								
Examiner Initials*	Cite No.1	Office:	Foreign Patent Do	ocument Kind Code <sup>5</sup> ( <i>if known</i> )	Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	Т6	
		wo	01/16135		STASIAK, et. al.	03-08-2001			
		wo	97/26265		NIELSEN, et. al.	07-24-1997		T	
		wo	97/41097		LOHRAY, et. al.	11-06-1997		T	
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		wo	99/03861		NIELSEN, et. al.	01-28-1999		1	
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Complete if Known		
Application Number	10/779,439	
Filing Date	02-13-2004	
First Named Inventor	FLOHR, et. al.	
Group Art Unit	1615	
Examiner Name	Not Yet Assigned	
Attorney Docket Number	DEAV2003/0072 - US - NP	

7/	OTHER PRIOR ART NON PATENT LITERATURE DOCUMENTS						
Examiner Initials	Cite No.1	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>2</sup>				
KRCHNAK, V., et. al., Noninvasive Continuous Monitoring of Solid-Phase Peptide Synthesis by Ac Indicator, Collect. Czech. Chem. Commun. Vol.53, (1988) pp. 2542-2548							
		TYLE, P., et. al., Iontophoretic Devices for Drug Delivery, Pharmaceutical Research, 1986, Vol.3, No.6, 318-326					
		VOJKOVSKY, T., et. al., Solid-Phase Synthesis of Heterocycles Containing an 1-Acyl-3-oxopiperazine Skeleton, J. Org. Chem.; 63; 1998; pp. 3162-3163.					

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